



STATE OF NEW JERSEY

In the Matter of S.M., Correction  
Officer Recruit (S9988R),  
Department of Corrections

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

CSC Docket No. 2014-1174

Medical Review Panel

ISSUED: JUL 31 2014

(BS)

S.M. appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9988R) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel on April 17, 2014, which rendered the attached report and recommendation on April 17, 2014. No exceptions were filed by the parties.

The report by the Medical Review Panel discusses all submitted evaluations. The Panel concluded that the test results and procedures and the behavioral record, when viewed in light of the Job Specification for Correction Officer Recruit, indicate that the candidate is psychologically unfit to perform effectively the duties of the position sought, and therefore, the action of the hiring authority should be upheld. Accordingly, the Panel recommended that the applicant be removed from the eligible list.

CONCLUSION

The Class Specification for Correction Officer Recruit is the official job description for such State positions within the merit system. According to the specification, an Officer is involved in providing appropriate care and custody of a designated group of inmates. These Officers must strictly follow rules, regulations, policies and other operational procedures of that institution. Examples of work

include: encouraging inmates toward complete social rehabilitation; patrolling assigned areas and reporting unusual incidents immediately; preventing disturbances and escapes; maintaining discipline in areas where there are groups of inmates; ensuring that institution equipment is maintained and kept clean; inspecting all places of possible egress by inmates; finding weapons on inmates or grounds; noting suspicious persons and conditions and taking appropriate actions; and performing investigations and preparing detailed and cohesive reports.

The specification notes the following as required skills and abilities needed to perform the job: the ability to understand, remember and carry out oral and written directions and to learn quickly from written and verbal explanations; the ability to analyze custodial problems, organize work and develop effective work methods; the ability to recognize significant conditions and take proper actions in accordance with prescribed rules; the ability to perform repetitive work without loss of equanimity, patience or courtesy; the ability to remain calm and decisive in emergency situations and to retain emotional stability; the ability to give clear, accurate and explicit directions; and the ability to prepare clear, accurate and informative reports of significant conditions and actions taken.

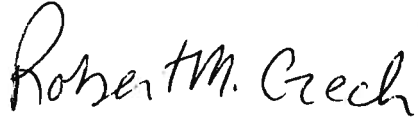
The Civil Service Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and found that the psychological traits, which were identified and supported by test procedures and the behavioral record, relate adversely to the appellant's ability to effectively perform the duties of the title. Having considered the record and the Medical Review Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached Medical Review Panel's report and recommendation.

### ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that S.M. is psychologically unfit to perform effectively the duties of a Correction Officer Recruit and, therefore, the Commission orders that her name be removed from the subject eligible list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 30TH DAY OF JULY, 2014



---

Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence:

Henry Maurer  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
PO Box 312  
Trenton, New Jersey 08625-0312

Attachments

c: S.M.  
Jennifer Rodriguez  
Kenneth Connolly

**TO:** State of New Jersey, Department of Personnel  
Merit System Practices & Labor Relations

**FROM:** Medical Review Panel  
(Angelica M. Diaz-Martinez, Psy.D., Joel Friedman, Ph.D.)  
Feibusch, M.D.)

**RE:** [REDACTED]

**DATE:** April 17, 2014

**DISCUSSION:**

[REDACTED] is a 27-year-old applicant to the Department of Corrections, for the position of Corrections Officer Recruit, whose name was removed from the eligibility list of the hiring authority for the reason of not being considered psychologically suited to the position. The Medical Review Panel, at its meeting on April 17, 2014 discussed [REDACTED] appeal of this action by the hiring authority. The applicant was seen by Lewis Z. Schlosser, Ph.D. (report dated September 30, 2013) on behalf of the hiring authority and by James Schroeder, Ph.D. (report dated November 16, 2013) on behalf of the applicant. Ms. [REDACTED] was present on her own behalf and Dr. Schlosser was present on behalf of the hiring authority.

**FINDINGS:**

Dr. Lewis Z. Schlosser conducted a psychological evaluation of the applicant that included the following:

- The Shipley Institute of Living Scale
- The Corrections Officer Writing Sample
- The Candidate and Officers Personnel Survey (COPS Test)
- The Edwards Personal Preference Schedule
- The HOW Supervise Test
- The Social Opinion Inventory (Locus of Control)
- The Speed Completion Form-Sentence Completion Test
- Biographical Summary Forms
- A Personal Interview and History Questionnaire

Dr. Schlosser characterized the candidate as follows:

- Average intellectual functioning.
- Currently unemployed. Worked per diem as a pharmacy technician for Stop and Shop for a year and was laid off in January 2013. She worked 10 hours per week in this position. From October 2009 until May 2012, she worked part-time as a front desk associate at Brighton Gardens (15-20 hours per week). She was laid off from this job, however on the Biographical Summary form she wrote that she was in school and wanted to focus on being a pharmacy tech.
- No history of arrests, lawsuits and restraining orders. No difficulties with driver's license.
- Graduation from high school in 2005 with a 2.6 GPA. She attended Wesley College, Morgan State University and Essex County Community College earning approximately 30 credits. She earned a Pharmacy Technician Certificate in May 2012.
- Consumes alcohol once per week or less.
- Credit problems
- Chronic under-functioning in the vocational sphere.

- On the COPS test results indicate gender and racial bias. Also she scores low in predictive success and socialized adjustment.
- On the Edwards Personal Preference Schedule, high scores in the area of aggression. On the How Supervise Test, judgment was assessed as very limited and /or naïve.
- Dr. Schlosser concluded, "...Ms. [REDACTED] is seen as not suitable for the position of corrections officer."

Dr. James W. Schroeder conducted a Brief psychological evaluation of the applicant that included the following:

- Clinical Interview
- MCMI-III

Dr. Schroeder characterized the candidate as follows:

- Results of MCMI-III indicate no Axis I disorders. Axis II does demonstrate Obsessive Compulsive Personality Disorder. Indicative in interview and testing that she "manifested traits suggesting some Obsessive Compulsive Personality "traits.".
- Dr. Schroeder concluded, "In reviewing the results of both the Clinical Interview and the MCMI-III test instrument, it is my professional opinion that she has no emotional deficits that would preclude her serving as a NJ State Corrections Officer. In fact, her personality and educational experience should make her an excellent candidate for the position. She lives in Newark and is aware of potential danger in her neighborhood and within the city. I stressed the importance of committing herself to the Officer Training program because of its ability "to provide good advice related to on the job experience."

#### ADDITIONAL DOCUMENTS:

- Letter on IFP letterhead dated April 7, 2014 signed by Lewis Z. Schlosser.

#### CONCLUSIONS:

The evaluators on behalf of the applicant and the hiring authorities reached differing conclusions and recommendations. The negative recommendations indicated that she was immature, admitted bias towards others (gender and racial/ethnic), and her vocational under-performance.

Ms. [REDACTED] is currently working at CVS/Caremark Pharmacy, a specialty pharmacy for chronic diseases. It is a mail order facility and she interacts with customers over the phone. She has been working there since February 2014. In the few weeks that she has worked there she reported no difficulties. From January 2012 to January 2013 she worked as a per diem employee for Stop and Shop Pharmacy. She was laid off due to the lack of available hours. She did not collect unemployment and instead helped with the care of her grandfather she has diabetes and her uncle who had a stroke. She stated she helped them with doctor's appointments and medication. Her mother supported her financially and she continues to live with her mother for financial support.

She attended Sanford Brown in 2011 for Pharmacy Technician training. She also worked at Brighton an assisted living facility at the front desk receptionist. She worked there from October 2009 to May 2012. She welcomed families and guests. She denied any difficulties, verbal reprimands and written reprimands.

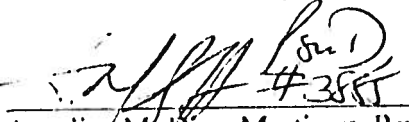
As IFP noted in their report, Ms. [REDACTED] reported some gender and racial bias in her testing. She endorsed items that stated that minorities are more likely to commit violent crimes, ruin neighborhoods and are unwilling to earn things and work for them. In

addition she endorsed items related to individuals with higher education lacking common sense and that individuals who "have money" believe they are better than others. Further, she endorsed items related to women being subservient to men, women being more emotional and that they should not be trusted as well as women needing to be supported more than men. When asked about her reasoning, she provided explanation that supported the endorsed items. It is unclear whether her responses are true bias or if it is a lack of maturity and ignorance. Regardless, it is unacceptable for a corrections officer to endorse these attitudes because it affects how the officer would follow through with his/her job duties and the people they will ultimately serve and with whom they will work.

Therefore, taking into consideration Dr. Schlosser's psychological evaluation, Dr. Schroeder's psychological evaluation and Ms. [REDACTED]'s presentation; the test results and procedures and the behavioral record when viewed in light of the job specifications for Corrections Officer Recruit, it indicates that the applicant is mentally unfit to perform effectively the duties of the position sought, and therefore, the action of the hiring authority should be upheld.

#### RECOMMENDATION:

It is the recommendation of the Panel that the candidate, [REDACTED] be removed from the candidate eligibility list.

  
Angelica M. Diaz-Martinez, Psy.D.

  
Date